

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)	
)	
v.)	Crim. No. 04-010387-RGS
)	
WILLIE DANCY,)	
Defendant)	
)	
)	

DEFENDANT DANCY'S NOTICE OF FILING

Now comes the Defendant, Willie Dancy, and hereby gives notice that the following exhibits have been hand filed at the Clerk's Office:

1. Exhibit A to Defendant's Memorandum in Support of his Motion to Suppress Evidence, the police report of Detective Reardon.

Respectfully Submitted,
The Defendant William Dancy,
By his attorneys,

//S//Stephen Hrones
Stephen Hrones (BBO No. 242860)
Jessica D Hedges (BBO No. 645847)
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CERTIFICATE OF SERVICE

I, Stephen Hrones, hereby certify that, on this the 8th day of August, 2005, I caused to be served a copy of the foregoing DEFENDANT WILLIE DANCY'S NOTICE OF FILING, where unable to do so electronically, via United States First-Class Mail, postage prepaid to all counsel of record in this matter.

S//Stephen Hrones
Stephen Hrones

Responses & Replies

1:04-cr-10387-RGS USA v. Dancy

United States District Court

District of Massachusetts

Notice of Electronic Filing

The following transaction was received from Tumposky, Michael entered on 8/8/2005 at 12:16 PM EDT and filed on 8/8/2005

Case Name: USA v. Dancy
Case Number: 1:04-cr-10387
Filer: Dft No. 1 - Willie Dancy
Document Number: 20

Docket Text:

MEMORANDUM in Support by Willie Dancy re [17] MOTION to Suppress (Attachments: # (1) Notice of Filing)(Tumposky, Michael)

The following document(s) are associated with this transaction:

Document description:Main Document

Original filename:yes

Electronic document Stamp:

[STAMP dcecfStamp_ID=1029851931 [Date=8/8/2005] [FileNumber=1079743-0]
[3380d86952f750fdb27e8624f3d956ce1584362896c252be367bf255ce7d00e68372
9335ede7ca1815c035530ebb606415b79f858a45aeb3862e6de4fc371256]]

Document description: Notice of Filing

Original filename:yes

Electronic document Stamp:

[STAMP dcecfStamp_ID=1029851931 [Date=8/8/2005] [FileNumber=1079743-1]
[97946a4096a09c7e82fba907a94f3d98308d580320a1e6194cd66ab2686c107c0c74
011de1c601cd86046cbb3e3a25e446c9df023a7f8313b7a080d330545c10]]

1:04-cr-10387-1 Notice will be electronically mailed to:

Stephen B. Hrones hrones@masscriminallawyer.com, sbhlaw@comcast.net

Antoinette E.M. Leoney antoinette.leoney@usdoj.gov

1:04-cr-10387-1 Notice will not be electronically mailed to:

EXHIBIT A

BROCKTON POLICE DEPARTMENT
CRIMINAL INVESTIGATION DIVISION
508 941-0234

December 8, 2004

Case #: 0401-5608

Charges: Unl Carrying Firearm (2 cts), Rec'v stolen prop (firearm), Unl
Poss ammo (2 cts), Unl Discharge F/A, Resisting arrest, Disorderly.

Defendant's: Willie Dancy 01/31/1975

Kevin Jones 07/16/1979

Micheal Bourne 12/26/1974

Narrative:

While working in a plain clothes capacity, in an unmarked police vehicle, This officer (Det Mark Reardon) was stopped at a red traffic light at the intersection of Main St and Perkins Av. This officer's attention was directed to a Black Mercedes at the Gas Depot gas pump with several males milling around the vehicle. As the light changed, I was making a left turn, Easterly on Perkins Av while beginning to enter the Mercedes plate number into my MDT. I then observed a black male running westerly on Perkins Av towards Main St. The black males gait appeared that he was being chased or chasing someone. As the black male passed my vehicle, I observed him raise a dark colored, large frame semi-auto from his side and point it towards the black Mercedes which had just sped off, westerly on South St. The black male appeared enraged at this and turned around, walking back easterly on the north sidewalk of Perkins Av. The black male took several steps, then raised the firearm with one hand and fired one round in the air. The male continued walking as this officer called in the observations and description to Brockton Police dispatch via radio. This officer observed the black male, described as having corn rolls, a gray hooded sweatshirt with writing on the front and dark blue jeans. The black male cut through between the large brick commercial building and a small white building as I lost visual contact. Several units were dispatched to assist as this officer then advised responding officers that knew David Taylor, that the party looked similar in appearance. This officer took up a vantage point to the rear of the bar and did not observe the black male flee the area and determined the black male had entered Boomer's Bar located on Perkins Av. When sufficient backup arrived, Officer Cesarini and this officer entered the front door of Boomers while Sgt Kilcy, Tpr Walls and Officer Hyland entered the rear door of the bar. Tpr Walls observed Defendant William Dancy fitting the description, just inside the door walking towards them. As Dancy saw the

police, he turned around quickly and was grabbed by Tpr Walls. Dancy began to struggle and Tpr Walls grabbed the front right pocket of his black leather jacket and immediately felt a firearm, alerting "gun" to other officers. Dancy reached into the pocket and repeatedly attempted to pull the gun out while yelling, "Get off me nigger, I ain't got no gun!" Dancy struggled and pulled the cylinder of the gun out of his pocket and attempted to hand it off to defendant Bourne who refused it, dropping it to the ground. Dancy continued to fight and was directed to the floor as he wrestled out of his jacket and got up. Dancy was administered a one to two second burst of O.C spray by Ofc Cesarini and finally secured by several officers and handcuffed. Tpr Walls then located a .22 cal Magnum, North American Arms Cor, a cell phone and one .22 super X round. In the right front pocket of Dancy's leather jacket. *Note: Dancy was wearing dark blue jeans, a gray hooded sweatshirt with lettering on the front and had corn rolls at the time of his arrest and was positively identified by this officer as the black male observed minutes prior firing the 9mm on Perkins Av. Dancy was removed to the area just outside of the rear door and secured. Defendant Bourne began verbally assaulting Ofc Hyland and attempting to stir up the other patrons in the bar against the police. Bourne was placed under arrest at this time. Ofc Wilbur then located a spent 9mm casing to the right of the rear door. The casing and scene were photographed and packaged by Deputy Ballinger, then transferred to this officer.

During initial entry into the bar, this officer approached the altercation at the rear door and heard Ofc Cesarini state, "gun!" while pointing to defendant Jones. Ofc Hyland observed a black / gray 9mm slide under the pool table from the direction of Jones and secured by Cesarini. This officer ordered Jones to show me his hands and get on the floor. Jones refused and tightened up stating, "I'm just shooting pool." I again ordered Jones to comply which he refused and attempted to pull away. Jones was guided, supported and directed to the floor as Cesarini handed the 9mm to Hyland, while he assisted this officer. Jones was finally secured and handcuffed at this time. Hyland made the weapon safe and secured the Smith & Wesson model # 908, ser# VJC5543, magazine with three live rounds and one live round in the chamber ready to fire. Hyland also recovered the .22 cal frame and cylinder which was loaded with one live round. The firearms and ammo were transported to the station by Hyland and Cesarini and logged in as evidence by Det. Gurney at the station. This officer examined the spent 9mm round located outside the rear door and determined that it matched the round in the chamber, F.C 9MM LUGER.

An NCIC check on the Smith & Wesson 9mm, ser # VJC5543 showed the firearm to be stolen from Brockton, Ma on 07/23/2004 in a residential house break. the firearm was reported stolen and issued BPD case # 0400-9278.

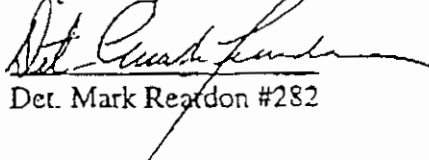
Ofc Wilbur spoke with the bartender, Alicia Costa-Burton, 05/11/1969 who stated that the black kid that we arrested in the gray sweatshirt ran in the front door right before we came in. Alicia identified Dancy to Ofc Wilbur at that time.

The three defendants were booked at the Brockton police station, advised of rights and allowed to use the telephone w/o incident at this time. During the booking inventory process, Ofc Cesarini located a 'dime bag' of suspected marijuana in defendant Jones'

pocket. The evidence was seized and logged in by Det Gurney. Tpr Walls then had conversation with Dancy regarding his leather jacket. Dancy had already been placed in his cell and advised of rights. Walls located six dollars in Dancy's left jacket pocket and stated, I'm giving you back your money. Dancy then stated to Walls, "what about my cell phone?" Walls held up the cell phone and said, "here, I'm going to put it back in your jacket" and Dancy looked at the phone and said, "good, I'm gonna need that." Walls relates that the phone was located in the same pocket as the .22 cal firearm.

After booking and being remanded to the cell area, Tpr Telford overheard incriminating statements by the defendants. *See attached report by Tpr Telford.

Respectfully Submitted,



Det. Mark Reardon #282